

REMARKS/ARGUMENTS

In this Amendment, Applicant has amended all of the independent claims in the application, i.e., claims 20, 28, 39, and 40, to more-particularly claim Applicant's invention. As now more-particularly claimed, Applicant's invention includes the feature where the **central tubular body 19** is arranged **inside the mixing chamber 7**. The central tubular body 19, which is arranged inside the mixing chamber 7, forms a branch conduit 20 which connects the mixing chamber to the main conduit of the device. As will be further discussed below, Applicant respectfully submits that Vlock (U.S. Patent No. 4,961,698) does not disclose at least the feature of Applicant's invention where the **central tubular body 19** is arranged **inside the mixing chamber 7**, where the central tubular body 19, which is arranged inside the mixing chamber 7, forms a branch conduit 20 which connects the mixing chamber to the main conduit 16 of the device.

As discussed above, as now more-particularly claimed, the central tubular body 19 is arranged inside the mixing chamber 7 and forms a branch conduit 20 which connects the mixing chamber 7 to the main conduit 16 of the device. Previously, Applicant less-particularly claimed that the mixing reservoir includes a central tubular body in dependent claims 26 and 32. In the Office Action, the Examiner argued that Vlock discloses this feature by citing to Figure 7 and the mixing reservoir (capsule halves 130 and 132) which includes a central tubular body forming branch conduits 136 and 138. Applicant respectfully submits that even if Vlock can be argued to disclose a mixing chamber (capsule halves 130 and 132) and a central tubular body forming branch conduits 136 and 138, that Vlock does not disclose the now more-particularly claimed feature of Applicant's invention where the central tubular body 19, forming branch conduit 20, is arranged inside mixing chamber 7. Applicant respectfully submits that this feature of Applicant's invention can clearly be seen in at least Figures 2 and 3a-b. As can be seen in Vlock, any interpreted central tubular body forming branch conduits 136 and 138 is not arranged inside any interpreted mixing chamber (capsule halves 130 and 132). In contrast, Vlock's branch conduits 136

and 138 run flush into the walls of the capsule. Thus, Vlock does not disclose the now more-particularly claimed feature of Applicant's invention where the central tubular body 19, forming branch conduit 20, is arranged inside the mixing chamber 7. As such, Applicant respectfully submits that amended independent claims 20, 28, 39, and 40 are now allowable over Vlock.

In Applicant's invention, as explained in Applicant's specification at least at para. 0040, with the claimed configuration where the central tubular body 19, which forms a branch conduit 20, is arranged inside the mixing chamber 7, and around which conduit the soluble substrate is placed, the conduit 20 works like a fountain, thereby improving mixing of the treatment agent with the water. As discussed above, Vlock does not disclose Applicant's claimed configuration, and thus, cannot operate in the same manner as Applicant's invention.

A disadvantage with the disclosed capsule and conduits of Vlock is that, when it is opened, fluid can flow out of both halves of the capsule and can wet a person using the device. In contrast, in Applicant's invention, the mixing chamber can be opened by removing a cap so that the water remains in the chamber. The tubular body crossing the bottom of the chamber up to the cap allows the stream of water to leave the tubular body just beneath the underside of the cap and to flow through the mixing chamber back to the bottom of the mixing chamber, thereby dissolving the substrate and becoming mixed up with the agent, diluted out of the substrate.

Further in this Amendment, Applicant has cancelled dependent claim 21. When amending independent claim 20, Applicant has carefully considered the Examiner's rejection of claim 21 based on indefiniteness and respectfully submits that this issue has been obviated with amended claim 20.

Regarding the Examiner's rejection of dependent claim 27 based on enablement regarding the claimed "turbulence body", Applicant respectfully traverses this rejection. Applicant respectfully submits that the specification, at least at para. 0013, discloses what the claimed turbulence body is, i.e., it is included in the mixing reservoir and water is swirled in the mixing reservoir

through the turbulence body around the solid substrate. Further, dependent claim 31 claims a particular configuration for the turbulence body, i.e., the claimed webs on an underside of the cap. Therefore, based on this written description of both the turbulence body and its position within the mixing reservoir, Applicant respectfully submits that the specification enables one skilled in the art to make and use the same and respectfully requests that the Examiner withdraw this rejection.

With respect to the Examiner's rejection of dependent claim 34 based on indefiniteness, Applicant respectfully submits that the claimed "blockage" can be the restriction of dependent claim 23, as interpreted by the Examiner and disclosed at para. 0041 of Applicant's specification, however, the blockage is not only limited to this interpretation. As further disclosed in Applicant's specification at para. 0042 and as shown in Figure 3c, the longitudinal channel 16 can be interrupted by blockage 23. Therefore, Applicant respectfully submits that dependent claim 34 is not indefinite and respectfully requests that the Examiner withdraw this rejection.

In the Office Action, Applicant notes that the Examiner has not acknowledged Applicant's claim for priority on the Office Action Summary page. Applicant respectfully requests that the Examiner acknowledge such claim in the next communication from the Examiner.

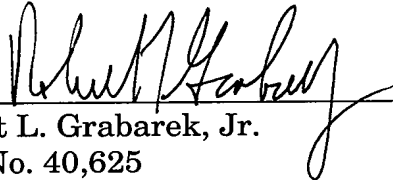
Applicant respectfully submits that the application is now in condition for allowance. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

As provided for above, this paper includes a Petition for an Extension of Time sufficient to effect a timely response. Please charge any deficiency in fees, or credit any overpayment of fees, to Deposit Account No. 05-1323 (Docket No. 037051.57538US).

Respectfully submitted,

CROWELL & MORING LLP

Dated: March 30, 2009

By: 
Robert L. Grabarek, Jr.
Reg. No. 40,625
Tel.: (949) 263-8400 (Pacific Coast)

Intellectual Property Group
P.O. Box 14300
Washington, D.C. 20044-4300

DC7494358.1